



MEMO ENDORSED

55 WEST MONROE STREET, SUITE 1200
CHICAGO, IL 60603-5127
TELEPHONE: 312-641-0060
FACSIMILE: 844-670-6009
<http://www.dickinsonwright.com>

DAVID BECKER
dbecker@dickinsonwright.com
(312) 377-7881

February 22, 2024

VIA ECF

Hon. Valerie Caproni
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
Courtroom 443
New York, New York 10007

Re: Kevin Yan Luis v. Vena Wellness, LLC, Case No. 1:23-cv-08290
Request for Adjournment of Initial Pretrial Conference and Extension of Time to
Answer Complaint

Dear Honorable Caproni:

Pursuant to Individual Practice Rules 2.A and C, Defendant Vena Wellness, LLC requests an adjournment of Initial Pretrial Conference, currently scheduled for March 1, 2024 to April 19, 2024 or any other available later date.

This is the second request for an adjournment. Counsel for Defendant and Plaintiff make this request because after the first adjournment, the parties were able to conduct a meaningful meet and confer to discuss the allegations of the complaint and engage in early resolution/settlement negotiations. Through such discussion, the parties believe that early resolution is likely and they would like to focus their efforts, resources, and attention on finalizing settlement negotiations in hopes of having a final resolution before having the need to conduct an IPTC. The parties believe they can accomplish such negotiations within the extend period of time as requested herein. Thus, the parties, respectfully request the adjournment until April 19, 2024 (or any other available later date) so they can finalize early resolution discussions and settlement reaches.

In requesting the adjournment, Defendant also respectfully asks that its time to move against or answer the Complaint continue to be extended until the adjourned Initial Pretrial Conference.

Summary of Individual Practice Rule 2.C

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/22/2024

Hon. Valerie Caproni
February 22, 2024
Page 2

1. The reason for the proposed adjournment or extension: The parties are actively engaged in settlement negotiations, which they believe will result in an early resolution of this matter.
2. The original due date:
 - a. Initial Pretrial Conference – March 1, 2024 at 10:00 a.m.
 - b. Joint Letter/Civil Case Management Plan – February 22, 2024
 - c. Answer/Motion Against Complaint – stayed until March 1, 2024
3. Number of previous requests for adjournment or extension of time: There has been one previous requests for adjournment or extension of time.
4. Whether the other party consents. Counsel for both parties consent to the requested adjournment.
5. Proposed alternative dates:
 - a. Initial Pretrial Conference – April 19, 2024
 - b. Joint Letter/Civil Case Management Plan – April 11, 2024
 - c. Answer/Motion Against Complaint: April 19, 2024

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Becker', with a stylized flourish at the end.

David Becker

s/Noor Saab
Noor Saab (with consent)

DICKINSON WRIGHT PLLC

Hon. Valerie Caproni
February 22, 2024
Page 3

DB

cc: Counsel of Record via ECF

Application GRANTED in part. The initial pretrial conference currently scheduled for **March 1, 2024** is adjourned to **March 15, 2024 at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties' joint letter must be filed no later than **March 7, 2024**. It is highly unlikely the Court will extend the date further.

SO ORDERED.

2/22/2024



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE